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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/688,832	10/17/2003	Chad Allan McGregor	53720-0008	2393
24187	7590	04/13/2007		
MILLER NASH LLP 601 UNION STREET SUITE4400 SEATTLE, WA 98101-2352			EXAMINER AILES, BENJAMIN A	
			ART UNIT 2142	PAPER NUMBER

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/13/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/688,832

Applicant(s)

MCGREGOR ET AL.

Examiner

Benjamin A. Ailes

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15, 17-28 and 31-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15, 17-28 and 31-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 1/12/07 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This action is in response to correspondence filed 12 January 2007.
2. Claims 1, 4, 13-15, 20, 25-28 have been amended. Claims 16, 29 and 30 have been cancelled. Claims 1-15, 17-28 and 31-33 remain pending.

#### ***Response to Amendment***

3. Applicants' amendment to the drawings has been entered into the record and the previous objection has been withdrawn.
4. Applicants' amendment to the specification has been entered into the record and the previous objection has been withdrawn.

#### ***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:  

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
6. Claims 1-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
7. Regarding claim 1, step (b) includes the step of "defining at least one data record based on said plurality of data using a user interface data selection technique via a thin client application" and therefore it is understood a thin client performs step (b). It is unclear if the other steps within the claim, steps (a), (c) and (d) are also performed by this same thin client application or if the other steps can actually be performed by any other means. For examination purposes the claim will be interpreted that the same user

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performs all of the steps and if this is true the claim should be amended to clarify this.

Appropriate clarification is requested.

8. Dependent claims 2-15 are rejected under the same rationale due to their dependency.

***Claim Rejections - 35 USC § 102***

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

10. Claims 20-25 and 28 are rejected under 35 U.S.C. 102(e) as being anticipated by Homsí (US 7,065,493 B1).

11. Regarding claims 20 and 28, Homsí discloses a method for executing a workflow process, said method comprising:

(a) inputting a request to access a workflow process to a master center (col. 16, lines 2-8; workflow requests are submitted to a router);

(b) accessing said requested workflow process via a web service, said requested workflow process containing at least two action object icons (fig. 3 and col. 16, ll. 14-18 and col. 17, ll. 44-48);

(c) executing a first action object icon of said workflow process (col. 16, ll. 25-28);

(d) saving said executed first action object icon on said master center (col. 6, ll.

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2-6);

(e) determining a second action object icon of said workflow process (col. 16, ll. 14-18);

(f) executing a second action object icon of said workflow process (col. 16, ll. 25-28);

(g) saving said executed second action object icon on said master center (col. 6, ll. 2-6); and

(h) continuing to execute said action object icons of said workflow process until said workflow process is complete (col. 16, ll. 43-48).

12. Regarding claim 21, Homsy discloses the method of executing at least two action object icons of said workflow process further including accessing said at least two action object icons to review at least one form (col. 16, lines 14-18).

13. Regarding claim 22, Homsy discloses the method further comprising the step of inputting data on said at least one form (col. 16, lines 50-55).

14. Regarding claim 23, Homsy discloses the method further comprising the step of accessing said master center over a network using an end user (col. 6, ll. 2-6).

15. Regarding claim 24, Berg discloses the method wherein said end user is:

(a) a client computer;

(b) a user; or

(c) said user and said client computer (col. 6, ll. 2-6).

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16. Regarding claim 25, Homsy discloses the method further including an HTTP request into a client computer, said HTTP request being transmitted over a network to a master center (col. 17, ll. 44-48).

***Claim Rejections - 35 USC § 103***

17. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

18. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

19. Claims 1, 2, 4, 5, 7-19, 26, 27, and 31-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Homsy (US 7,065,493 B1) in view of Horan et al. (U 2003/0225663 A1), hereinafter referred to as Horan.

20. Regarding claims 1 and 26, Homsy teaches a method for defining a workflow process, said method comprising the steps of: (a) collecting a plurality of data (col. 4, ll. 65-66); (b) defining at least one data record based on said plurality of data (col. 5, ll. 3-

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5); (c) allocating said at least one defined data record to at least one data file (col. 4, ll. 58-65); and (d) organizing said at least one data file into at least one form (col. 4, ll. 58-66).

Homsi teaches the utilization of a user interface on a user machine (col. 6, ll. 7-11) wherein the user machine is in communication with a centralized storage database server (col. 6, ll. 2-6) but does not explicitly recite that the user machine uses a thin client application. The user machine using a thin client application is deemed an obvious variation in the art as evidenced by Horan. Horan is recognized as being within the same field of endeavor as Homsi. Horan teaches wherein a thin client browser based interface (p. 10, para. 0111) is implemented to manage the objects of a workflow. Therefore, one of ordinary skill in the art would have found it obvious at the time of the applicants' invention to implement as an obvious variation the user machine to be a thin client. One of ordinary skill in the art would have been motivated to utilize a thin client as taught by Horan wherein it is known to be beneficial in the art to utilize a thin client because thin-client technology does not require the installation of product updates and service releases on a user's desktop (p. 5, para. 0063).

21. Regarding claim 2, Homsi and Horan teach the method further comprising saving at least one data record at a master center (Homsi, col. 6, ll. 2-6).

22. Regarding claim 4, Homsi and Horan teach the method wherein said step of defining at least one data record based on said plurality of data is performed by an end user using user interface data selection techniques that do not require programming experience (Homsi, col. 6, ll. 7-11).

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23. Regarding claim 5, Homsy and Horan teach the method further comprising the step of saving said at least one data file at a master center (Homsy, col. 6, ll. 2-6).

24. Regarding claim 7, Homsy and Horan teach the method further comprising the step of saving said at least one form at a master center (Homsy, col. 6, ll. 2-6).

25. Regarding claim 8, Homsy and Horan teach the method further comprising the step of saving said at least one form as at least one action object icon (col. 6, ll. 34-35).

26. Regarding claim 9, Homsy and Horan teach the method further comprising the step of outputting a representation of said at least one form (col. 6, ll. 35-36).

27. Regarding claim 10, Homsy and Horan teach the method further comprising the step of formatting said at least one form into a format defined by a group consisting of: (a) an end user; and (b) a system analyst (col. 6, ll. 4-6).

28.

29. Regarding claim 11, Homsy and Horan teach the method further comprising the step of saving said at least one formatted form on said master center (Homsy, col. 6, ll. 2-6).

30. Regarding claim 12, Homsy and Horan teach the method further comprising the step of developing a user interface to be used in connection with said workflow process (col. 4, ll. 48-57).

31. Regarding claim 13, Homsy and Horan teach the method of developing said user interface to be used in connection with said workflow process including developing a web based user interface (col. 4, ll. 48-57 and col. 17, ll. 44-47).

32. Regarding claim 14, Homsy and Horan teach the method further comprising the



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step of programming said web based user interface in a programming language that is different from a programming language used to program said at least one data record, said at least one data files, and said master center (col. 4, ll. 48-57 and col. 17, ll. 44-47).

33. Regarding claims 15, 27, 31 and 32 Homsy teaches a method for creating a workflow process, said method comprising the steps of: (a) accessing a business logic editor located on a master center (col. 6, ll. 7-11); (b) presenting at least two action object icons on a user interface (Fig. 3, item 314, col. 6, ll. 35-37); (c) accessing a canvas screen (Fig. 3 item 304, col. 6, ll. 35-37); (d) selecting a first of said at least two action object icons (Fig. 3 and col. 6, ll. 36-39); (e) moving said first of at least two action object icons to said canvas screen (fig. 3 and col. 6, ll. 46-48); (f) defining properties for said first of at least two action object icons (col. 6, ll. 40-44); (g) moving a second of said at least two action object icons to said canvas screen (fig. 3 and col. 6, ll. 46-48); (h) defining properties for said second of at least two action object icons (col. 6, ll. 40-44); (i) linking said at least two action object icons to create a workflow process (fig. 3 and col. 6, ll. 59-62); and (j) defining form processing actions by setting action object icon properties for said at least two action object icons (col. 6, ll. 40-44).

Homsy teaches the utilization of a user interface on a user machine (col. 6, ll. 7-11) wherein the user machine is in communication with a centralized storage database server (col. 6, ll. 2-6) but does not explicitly recite that the user machine uses a thin client application. The user machine using a thin client application is deemed an obvious variation in the art as evidenced by Horan. Horan is recognized as being within

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the same field of endeavor as Homsí. Horan teaches wherein a thin client browser based interface (p. 10, para. 0111) is implemented to manage the objects of a workflow. Therefore, one of ordinary skill in the art would have found it obvious at the time of the applicants' invention to implement as an obvious variation the user machine to be a thin client. One of ordinary skill in the art would have been motivated to utilize a thin client as taught by Horan wherein it is known to be beneficial in the art to utilize a thin client because thin-client technology does not require the installation of product updates and service releases on a user's desktop (p. 5, para. 0063).

34. Regarding claim 17, Homsí and Horan teach the method further comprising the step of accessing said master center using a web based user interface (col. 4, ll. 48-57 and col. 17, ll. 44-47).

35. Regarding claim 18, Berg discloses the method further comprising adjusting said workflow process to create and display at least one page boundary, said at least one page boundary including at least one horizontal page or at least one vertical page (Fig. 3).

36. Regarding claim 19, Homsí and Horan teach the method wherein page boundaries are represented by lines (Homsí, fig. 3) and therefore it would have been an obvious variation in the art for the lines to be dotted instead of solid.

37. Regarding claim 33, Homsí and Horan teach the system wherein said workflow process may be executed via web services (col. 16, ll. 14-18 and col. 17, ll. 44-48).

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38. Claims 3 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Homs and Horan in view of what was well known prior art at the time of the applicants' invention.

39. Regarding claims 3 and 6, Homs and Horan do not teach the method further comprising saving said at least one data record at said master center as an XML representation. Official notice is taken that the utilization of XML as a file type was old and well known in the art. It would have been obvious to one of ordinary skill in the art at the time of the applicants' invention to utilize the XML file type and one of ordinary skill would have been motivated to utilize XML because it was a commonly used and well known file type at the time of the applicants' invention.

#### ***Response to Arguments***

40. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

**Conclusion**

40. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ghoneimy et al. (US 2004/0078373 A1) teaches a workflow system that automates work processes.

Ambrose et al. (US 2002/0065879 A1) teaches a client server system with thin client architecture wherein service requests and responses to the requests are transferred between a thin client and an enterprise server.

Dortmans (US 2003/0018512 A1) teaches a method for creating a workflow.

Chong et al. (US 7,152,229 B2) teaches a workflow code generator.

Chatterjee et al. (US 5,774,661) teaches a rule engine interface for a visual workflow builder.

41. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin A. Ailes whose telephone number is (571)272-3899. The examiner can normally be reached on M-F 6:30-4, IFP Work Schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on (571)272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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